(b) Under the scheme, the total approved cost of proposal received from the States is shared in the ratio of 75:25 between Central and State Governments.

(c) No. Sir.

Working of Panchayats in Bihar

2877. SHRI MOTIUR RAHMAN: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the *modus operandi* of implementation of Panchayati Raj in Bihar;

(b) the mechanism to ensure that the Panchayats deliver goods;

(c) the mechanism to ensure accountability of Panchayats; and

(d) the difficulties being encountered in implementation of Panchayati Raj in Bihar?

THE MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR): (a) to (d) Elections to the Panchayats could be held only in April, 2001 because of long pending court cases relating to reservations as the Hon'ble Patna High Court had struck down provisions relating to reservation of seats for backward classes. It had also held that there should not be reservations to the post of Mukhiya of a Gram Panchayat, Pramukh of a Panchayat Samiti and Adhyaksha of a Zilla Parishad on the ground that these are solitary posts and such reservation would amount to 100% reservation. The Government of Bihar has filed a SLP in the Supreme Court challenging the aforesaid orders of the Hon'ble High Court. The Hon'ble Supreme Court on an application by Government of Bihar, clarified on 29.8.2000 that the Government of Bihar may hold elections in the State in accordance with the law as it stands subject to the final decision of the Supreme Court in the pending appeal. It was subsequently clarified on 5.1.2001 by the Hon'ble Supreme Court that as certain provisions of the Constitution had been struck down by the Patna High Court, such provisions could not be treated as existing law unless those are restored by the Apex Court. Based on the orders of the Apex Court, the Government of Bihar held Panchayat elections in April, 2001 without providing for reservation for SCs/STs/Women to the offices of Chairperson at all the three levels of

Panchayats. Bihar has now 8471 Gram Panchayats, 531 Intermediate Panchayats and 38 District Panchayats. It has a total of 1,28,802 elected representatives in three tiers of Panchayats. The issue of reservations to posts of Chairpersons is still pending in the Supreme Court.

The Government of Bihar enacted the State Panchayati Raj Act to conform to the Constitution (73rd Amendment) Act, 1992 on 22.8.1993. The Bihar Government have developed 25 functions to the Panchayats. Funds relating to 8 subjects are also reported to have been devolved. Bihar has constituted District Planning Committees in 37 out of 38 districts on an *ad hoc* basis.

The representatives of the Bihar Government including the then State Minister for Panchayati Raj attended the series of Seven Round Tables of State Ministers of Panchayati Raj and is a party to the consensus recommendations of the Seven Round Tables. The Union Minister of Panchayati Raj proposes to visit Bihar in the near future to further review the progress on the implementation of these recommendations.

Two Child Legal Norm for Sarpanches/Panches

†2878. SHRI DILIP SINGH JUDEV: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the States of the country who have more than two children where such laws are inforce which provide for removal of Sarpanch, Up-Sarpanch and Panches from their posts in Gram Panchayat;

(b) the details of the persons who have been removed from their posts under this law during the last three years;

(c) whether this provision has also applied on the officials of Block (district Panchayat) and district Panchayats constituted under the three tier system of Panchayats;

(d) if so, the State-wise number of the officials so removed; and

(e) if not, the reasons therefor?

THE MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR): (a) to (e) Information is being collected and will be laid on the Table of the House.

†Original notice of the question was received in Hindi.